

Chrysler  
Clement  
Clinger  
Clyburn  
Coble  
Coburn  
Coleman  
Collins (GA)  
Collins (IL)  
Combest  
Condit  
Cooley  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Creameans  
Cubin  
Cunningham  
Danner  
Davis  
de la Garza  
Deal  
DeFazio  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Doggett  
Dooley  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Eshoo  
Evans  
Everett  
Farr  
Fattah  
Fawell  
Fields (LA)  
Fields (TX)  
Filner  
Flake  
Flanagan  
Foglietta  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green  
Greenwood  
Gunderson  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert

Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hillery  
Hilliard  
Hinchey  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hunter  
Hutchinson  
Hyde  
Ingalls  
Istook  
Jackson-Lee  
Jacobs  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnson, Sam  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Markley  
Martinez  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDade  
McDermott  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
McNulty  
Meehan  
Menendez  
Metcalf  
Meyers  
Mfume  
Mica  
Miller (CA)  
Miller (FL)  
Mineta  
Minge  
Mink  
Molinari  
Mollohan

Montgomery  
Moorhead  
Morella  
Murtha  
Myers  
Myrick  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Oxley  
Pallone  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Reed  
Regula  
Reynolds  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Roybal-Allard  
Royce  
Rush  
Salmon  
Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Schroeder  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Soudner  
Spence  
Spratt  
Stark  
Stearns  
Stenholm  
Stockman  
Studds  
Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)

Taylor (NC)  
Tejeda  
Thomas  
Thompson  
Thornberry  
Thurman  
Tiahrt  
Torkildsen  
Torrice  
Traficant  
Tucker  
Upton  
Velazquez  
Vento  
Visclosky

Volkmer  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Ward  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield

Wicker  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Yates  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

## NOES—21

Abercrombie  
Clay  
Collins (MI)  
Conyers  
Dellums  
Dingell  
Dixon

Fazio  
Gibbons  
Hastings (FL)  
Hoyer  
Lewis (GA)  
Meek  
Moran

Nadler  
Packard  
Sabo  
Stokes  
Thornton  
Towns  
Waters

## NOT VOTING—10

Ackerman  
Clayton  
Ewing  
Johnson (CT)

Laughlin  
Livingston  
Moakley  
Parker

Serrano  
Torres

So the amendment was agreed to.

The SPEAKER pro tempore, Mr. CAMP, assumed the Chair.

When Mr. LINDER, Chairman, pursuant to House Resolution 169, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 3, line 6, insert before the period the following: “: *Provided*, That no such funds shall be used for the purposes of sending unsolicited mass mailings within 90 days before an election in which the Member is a candidate.”.

Page 15, line 8, strike the colon and all that follows through “1986” on line 10.

Page 23, line 18, strike “\$60,083,000” and insert “\$75,083,000”.

Page 26, line 19, strike “\$211,664,000” and insert “\$195,076,000”.

Page 20, after line 10, insert the following:

In addition, for salaries and expenses of the Congressional Budget Office necessary to carry out the provisions of title I of the Unfunded Mandates Reform Act of 1965 (Pub. L. 104-4), as authorized by section 109 of such Act, \$1,100,000.

Page 26, beginning on line 12, strike “operation and maintenance of the American Folklife Center in the Library;”.

Page 26, line 19, after the first dollar figure, insert the following: “(less \$1,165,000)”.

Page 34, line 24, strike out “3,900” and insert in lieu thereof “3,550”.

Page 49, after line 25, insert the following new section:

SEC. 312. Any amount appropriated in this Act for “HOUSE OF REPRESENTATIVES—Salaries and Expenses—Members’ Representational Allowances” shall be available only for fiscal year 1996. Any amount remaining after all payments are made under such allowances for such fiscal year shall be deposited in the Treasury, to be used for deficit reduction.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. MILLER of California moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment:

Page 49, after line 25, insert the following new section:

SEC. 312. None of the funds made available in this Act may be provided for any Member, officer, or employee of the House of Representatives when it is made known to the Federal entity or official to which the funds are made available that such Member, officer, or employee has accepted a gift, knowing that such gift is provided directly or indirectly by a paid lobbyist, a lobbyist firm, or an agent of a foreign principal.

After debate,

## ¶85.20 POINT OF ORDER

Mr. PACKARD made a point of order against the motion, and said:

Mr. Speaker, I wish to make a point of order against the motion to recommit with instructions because it includes a limitation and is not in order under clause 2 of rule XXI. Under the precedents of the House, it is not “competent” for the House to amend the bill in the manner proposed because it is not in order for the House to instruct the Committee to do what the House itself could not do.

Mr. Speaker, I quote from precedents of the House of Representatives: “It is not in order to do indirectly by a motion to commit with instructions what may not be done directly by way of amendment.”

Also, Mr. Speaker, a point of order was sustained on a motion, a very like motion, to recommit with instructions on August 1, 1989, under a different Speaker. Mr. Speaker, the gentleman’s motion to instruct includes a limitation not specifically contained or authorized in existing law, and not considered in the Committee of the Whole pursuant to clause 2(d) of rule XXI, and therefore I ask for a ruling by the Chair on the point of order.

Mr. MILLER of California was recognized to speak to the point of order and said:

Mr. Speaker, the language offered in this motion to recommit is in fact valid under the House rules. It is constructed to meet all requirements for a valid limitation under clause 2 of rule XXI. It does not impose “substantial additional duties.”

While it is true such an amendment could have been blocked under section (d) of clause 2 by the motion to rise had such a motion been offered in the Committee of the Whole, in fact no such motion was offered. The Committee rose under the direct terms of the rule, House Resolution 169, rather than as a result of the motion of the majority leader or the manager.

The House rules clearly permit a valid limitation to be offered when the manager or the majority chooses not to offer the motion to rise or if they fail to do so in a timely fashion. For this reason, a motion to recommit with instruction to include a simple valid limitation is in fact in order, and

therefore the motion to recommit requiring a gift ban be reported back to the House is in order.

The SPEAKER pro tempore, Mr. CAMP, sustained the point of order, and said:

Consistent with the precedents of August 1 and 3, 1989, which are recorded in section 835 of the House Rules and Manual, the point of order is sustained and the motion is held out of order.

Mr. MILLER of California moved to recommit the bill to the Committee on Appropriations.

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, viva voce, Will the House recommit said bill?

The SPEAKER pro tempore, Mr. CAMP, announced that the nays had it.

Mr. VOLKMER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 186  
negative ..... Nays ..... 240

¶85.21 [Roll No. 416]  
AYES—186

Abercrombie	Frost	Mineta
Andrews	Furse	Minge
Baldacci	Gejdenson	Mink
Barcia	Gephardt	Montgomery
Barrett (WI)	Geren	Moran
Becerra	Gibbons	Nadler
Beilenson	Gonzalez	Neal
Bentsen	Gordon	Oberstar
Berman	Green	Obey
Bevill	Gutierrez	Olver
Bishop	Hall (OH)	Ortiz
Bonior	Hamilton	Orton
Borski	Harman	Owens
Browder	Hastings (FL)	Pallone
Brown (CA)	Hefner	Pastor
Brown (FL)	Hilliard	Payne (NJ)
Brown (OH)	Hinchey	Payne (VA)
Bryant (TX)	Holden	Pelosi
Cardin	Hoyer	Peterson (FL)
Chapman	Jackson-Lee	Peterson (MN)
Clay	Jacobs	Pickett
Clement	Jefferson	Poshard
Clyburn	Johnson (SD)	Rangel
Coleman	Johnson, E. B.	Reed
Collins (IL)	Johnston	Reynolds
Collins (MI)	Kanjorski	Richardson
Condit	Kaptur	Rivers
Conyers	Kennedy (MA)	Roemer
Costello	Kennedy (RI)	Rose
Coyne	Kennelly	Roybal-Allard
Cramer	Kildee	Rush
Danner	Klecza	Sabo
de la Garza	LaFalce	Sanders
DeFazio	Lantos	Sawyer
DeLauro	Levin	Schroeder
Dellums	Lewis (GA)	Schumer
Deutsch	Lincoln	Scott
Dicks	Lipinski	Sisisky
Dingell	Lofgren	Skaggs
Dixon	Lowe	Skelton
Doggett	Luther	Slaughter
Dooley	Maloney	Spratt
Doyle	Manton	Stark
Durbin	Markey	Stenholm
Edwards	Martinez	Stokes
Engel	Mascara	Studds
Eshoo	Matsui	Stupak
Evans	McCarthy	Tanner
Farr	McDermott	Taylor (MS)
Fattah	McHale	Tejeda
Fazio	McKinney	Thompson
Fields (LA)	McNulty	Thorton
Filner	Meehan	Thurman
Flake	Meek	Torricelli
Foglietta	Menendez	Towns
Ford	Mfume	Traficant
Frank (MA)	Miller (CA)	Tucker

Velazquez  
Vento  
Visclosky  
Volkmer  
Ward

Waters  
Watt (NC)  
Waxman  
Williams  
Wilson

Wise  
Woolsey  
Wyden  
Wynn  
Yates

NOES—240

Allard	Frelinghuysen	Morella
Archer	Frisa	Murtha
Army	Funderburk	Myers
Bachus	Gallegly	Myrick
Baessler	Ganske	Nethercutt
Baker (CA)	Gekas	Neumann
Baker (LA)	Gilchrest	Ney
Ballenger	Gillmor	Norwood
Barr	Gilman	Nussle
Barrett (NE)	Goodlatte	Oxley
Bartlett	Goodling	Packard
Barton	Goss	Paxon
Bass	Graham	Petri
Bateman	Greenwood	Pombo
Bereuter	Gunderson	Porter
Bilbray	Gutknecht	Portman
Bilirakis	Hall (TX)	Pryce
Bliley	Hancock	Quillen
Blute	Hansen	Quinn
Boehlert	Hastert	Radanovich
Boehner	Hastings (WA)	Rahall
Bonilla	Hayes	Ramstad
Bono	Hayworth	Regula
Boucher	Hefley	Riggs
Brewster	Heineman	Roberts
Brownback	Herger	Rogers
Bryant (TN)	Hilleary	Rohrabacher
Bunn	Hobson	Ros-Lehtinen
Bunning	Hoekstra	Roth
Burr	Hoke	Roukema
Burton	Horn	Royce
Buyer	Hostettler	Salmon
Callahan	Houghton	Sanford
Calvert	Hunter	Saxton
Camp	Hutchinson	Scarborough
Canady	Hyde	Schaefer
Castle	Inglis	Schiff
Chabot	Istook	Seastrand
Chambliss	Johnson (CT)	Sensenbrenner
Chenoweth	Johnson, Sam	Shadegg
Christensen	Jones	Shaw
Chrysler	Kasich	Shays
Clinger	Kelly	Shuster
Coble	Kim	Skeen
Coburn	King	Smith (MI)
Collins (GA)	Kingston	Smith (NJ)
Combust	Klink	Smith (TX)
Cooley	Klug	Smith (WA)
Cox	Knollenberg	Solomon
Crane	Kolbe	Souder
Crapo	LaHood	Spence
Creameans	Largent	Stearns
Cubin	Latham	Stockman
Cunningham	LaTourette	Stump
Davis	Lazio	Talent
DeLay	Leach	Tate
Diaz-Balart	Lewis (CA)	Tauzin
Dickey	Lewis (KY)	Taylor (NC)
Doolittle	Lightfoot	Thomas
Dorman	Linder	Thornberry
Dreier	Livingston	Tiaht
Duncan	LoBiondo	Torkildsen
Dunn	Longley	Upton
Ehlers	Lucas	Vucanovich
Ehrlich	Manzullo	Waldholtz
Emerson	Martini	Walker
English	McCollum	Walsh
Ensign	McCrery	Wamp
Everett	McDade	Watts (OK)
Ewing	McHugh	Weldon (FL)
Fawell	McInnis	Weldon (PA)
Fields (TX)	McIntosh	Weller
Flanagan	McKeon	White
Foley	Metcalfe	Whitfield
Forbes	Meyers	Wicker
Fowler	Mica	Wolf
Fox	Miller (FL)	Young (AK)
Franks (CT)	Molinar	Young (FL)
Franks (NJ)	Mollohan	Zeliff
	Moorhead	Zimmer

NOT VOTING—8

Ackerman	Moakley	Serrano
Clayton	Parker	Torres
Laughlin	Pomeroy	

So the motion to recommit was not agreed to.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. CAMP, announced that pursuant to

clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas ..... 337  
affirmative ..... Nays ..... 87

¶85.22 [Roll No. 417]  
YEAS—337

Allard	Ensign	Lewis (CA)
Archer	Eshoo	Lewis (KY)
Army	Evans	Lightfoot
Bachus	Everett	Lincoln
Baessler	Ewing	Linder
Baker (CA)	Farr	Lipinski
Baker (LA)	Fawell	Livingston
Baldacci	Fazio	LoBiondo
Ballenger	Fields (TX)	Lofgren
Barcia	Flanagan	Longley
Barr	Foley	Lowe
Barrett (NE)	Forbes	Lucas
Barrett (WI)	Ford	Luther
Bartlett	Fowler	Maloney
Barton	Fox	Manton
Bass	Franks (CT)	Manzullo
Bateman	Franks (NJ)	Markey
Beilenson	Frelinghuysen	Martini
Bentsen	Frisa	Mascara
Bereuter	Frost	Matsui
Berman	Funderburk	McCarthy
Bilbray	Gallegly	McCollum
Bilirakis	Ganske	McCrery
Bliley	Gekas	McDade
Blute	Gephardt	McHale
Boehlert	Geren	McInnis
Boehner	Gilchrest	McIntosh
Bonilla	Gillmor	McKeon
Bono	Gilman	McNulty
Borski	Gonzalez	Meehan
Boucher	Goodlatte	Meek
Brewster	Goodling	Metcalfe
Brown (FL)	Goss	Meyers
Brown (OH)	Graham	Mica
Brownback	Greenwood	Miller (FL)
Bryant (TN)	Gunderson	Minge
Bunn	Gutierrez	Mink
Bunning	Gutknecht	Molinar
Burr	Hall (OH)	Mollohan
Burton	Hall (TX)	Montgomery
Buyer	Hamilton	Moorhead
Callahan	Hancock	Morella
Calvert	Hansen	Myers
Camp	Hastert	Myrick
Canady	Hastings (WA)	Nethercutt
Cardin	Hayes	Neumann
Castle	Hayworth	Ney
Chabot	Hefley	Norwood
Chambliss	Heineman	Nussle
Chenoweth	Herger	Oberstar
Christensen	Hilleary	Obey
Chrysler	Hobson	Ortiz
Clement	Hoekstra	Orton
Coble	Clinger	Oxley
Coburn	Coble	Packard
Collins (GA)	Coburn	Pallone
Combest	Collins (GA)	Paxon
Condit	Hoyer	Payne (VA)
Cooley	Hunter	Pelosi
Costello	Hutchinson	Peterson (MN)
Cox	Hyde	Petri
Crane	Inglis	Pombo
Crapo	Istook	Pomeroy
Creameans	Johnson (CT)	Porter
Cubin	Johnson (SD)	Portman
Cunningham	Johnson, E.B.	Poshard
Danner	Johnson, Sam	Pryce
Davis	Jones	Quillen
de la Garza	Kaptur	Quinn
Deal	Kasich	Radanovich
DeLauro	Kelly	Rahall
DeLay	Kennedy (MA)	Ramstad
Deutsch	Kennedy (RI)	Reed
Diaz-Balart	Kennelly	Regula
Dickey	Kildee	Richardson
Dixon	Kim	Riggs
Doggett	King	Rivers
Dooley	Kingston	Roberts
Doolittle	Klecza	Roemer
Dorman	Klug	Rogers
Doyle	Knollenberg	Rohrabacher
Duncan	Kolbe	Ros-Lehtinen
Dunn	LaHood	Rose
Edwards	Lantos	Roth
Ehlers	Largent	Roukema
Ehrlich	Latham	Royce
Emerson	LaTourette	Sabo
English	Lazio	Salmon
	Leach	Sawyer
	Levin	Saxton